

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**CAMELOT BANQUET ROOMS, INC.,
DOWNTOWN JUNEAU INVESTMENTS, LLC,
MIDRAD, LLC, and
PPH PROPERTIES I, LLC
Plaintiffs,**

v.

Case No. 20-C-0601

**UNITED STATES SMALL BUSINESS
ADMINISTRATION; JOVITA CARRANZA,
in her Official Capacity as Administrator of
the Small Business Administration;
UNITED STATES OF AMERICA; and
STEVEN MNUCHIN, in his Official Capacity
as United State Secretary of Treasury,
Defendants.**

**J.R. SCHUSTER, LLC,
Plaintiff,**

v.

Case No. 20-C-634

**UNITED STATES SMALL BUSINESS
ADMINISTRATION; JOVITA CARRANZA,
in her Official Capacity as Administrator of
the Small Business Administration;
UNITED STATES OF AMERICA; and
STEVEN MNUCHIN, in his Official Capacity
as United State Secretary of Treasury,
Defendants.**

ORDER

The government has filed an emergency motion to stay this court's order of May 1, 2020 pending appeal or, in the alternative, to extend the deadline for compliance for 36 hours. To determine whether to grant a stay, I must consider the moving party's

likelihood of success on the merits, the irreparable harm that will result to each side if the stay is either granted or denied in error, and whether the public interest favors one side or the other. *In re A&F Enters., Inc.*, 742 F.3d 763, 766 (7th Cir. 2014). This standard “mirrors that for granting a preliminary injunction.” *Id.* For the same reasons I granted the plaintiffs’ motions for a preliminary injunction, I deny the defendants’ motion for a stay pending appeal. The defendants have shown no likelihood of success on appeal, and the harm to the plaintiffs from delaying their ability to obtain PPP loans outweighs any harm the government would suffer without a stay. The public interest in disbursing PPP funds also favors the plaintiffs.

However, I do not believe that the plaintiffs would be harmed by the 36-hour delay the government requests in the alternative. Accordingly, the court will amend the preliminary injunction to provide that the government must transmit guarantee authority to the plaintiffs’ banks no later than 12:00 a.m. on May 6, 2020.

For the reasons stated, **IT IS ORDERED** that defendants’ motion for a stay pending appeal is **DENIED**.

IT IS FURTHER ORDERED that the alternative motion for 36 additional hours to comply with the injunction is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 4th day of May, 2020.

s/Lynn Adelman
LYNN ADELMAN
District Judge